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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,581	01/16/2004	Kenji Yamagami	16869B-089600US	7975
20350 7590 06/19/2009 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER GOLD, AVIM	
			ART UNIT 2457	PAPER NUMBER
			MAIL DATE 06/19/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/759,581

Applicant(s)

YAMAGAMI, KENJI

Examiner

AVI GOLD

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-24 and 26-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-24 and 26-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to the amendment filed on April 3, 2009. Claims 1, 13, and 22 were amended. Claims 4, 25, 32, and 33 were cancelled. Claims 1-3, 5-24, and 26-31 are pending.

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-24, and 26-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Blumenau et al., U.S. Patent Application Publication No. 2007/0083657.

Blumenau teaches the invention as claimed including a method and apparatus for managing access to storage in a storage system (see abstract).

Regarding claim 1, Blumenau teaches a method for processing service requests in a first device in a storage network comprising:

receiving a connection request from a sending device (paragraph 48, lines 1-4, 14-18, paragraph 49, lines 1-2, request sent to a storage system);

obtaining manufacture-related information associated with the sending device (paragraph 48, lines 4-12, obtaining identifier of the device that includes the WWN); and

responding to the sending device in a positive manner or in a negative manner based on a comparison of the manufacture-related information with manufacture-related information contained in an access control table (paragraphs 58, 62, 63, a filter table ensures that only the devices cleared by a comparison of the WWN have access and clearing a bit to indicate access),

wherein the comparison includes comparing version information included in the manufacture-related information associated with the sending device against version information in the access control table, wherein responding in a positive manner or a negative manner depends on an outcome of the comparison (paragraph 169, comparing a device revision level)

wherein responding in the positive manner will permit subsequent data communication between the first device and the sending device (paragraphs 58, 62, 63),

wherein responding in the negative manner will prevent subsequent data communication between the first device and the sending device (paragraph 63, filtering out non-privileged requests).

Regarding claim 2, Blumenau teaches the method of claim 1 wherein the connection request is a fabric login, wherein the manufacture-related information includes information representative of the manufacturer of the sending device (paragraphs 46, 48).

Regarding claim 3, Blumenau teaches the method of claim 2 wherein the step of responding to the sending device includes determining whether the manufacturer is listed in the access control table (paragraphs 58, 62, 63).

Regarding claim 5, Blumenau teaches the method of claim 2 wherein the access control table includes access permission information associated with the manufacturer, wherein the step of responding to the sending device in a positive manner or in a negative manner is based on the access permission information (paragraphs 58, 62, 63).

Regarding claim 6, Blumenau teaches the method of claim 1 wherein the first device is a disk system (paragraph 44).

Regarding claim 7, Blumenau teaches the method of claim 6 wherein the sending device is a host bus adapter (HBA) (paragraph 60).

Regarding claim 8, Blumenau teaches the method of claim 6 wherein the sending device is a switch (paragraph 46).

Regarding claim 9, Blumenau teaches the method of claim 6 wherein the sending device is a second disk system (paragraphs 44, 45, 61).

Regarding claim 10, Blumenau teaches the method of claim 1 wherein the first device is a switch and the sending device is an HBA (paragraphs 46, 60).

Regarding claim 11, Blumenau teaches the method of claim 1 wherein the first device is a first switch and the sending device is a second switch (paragraph 46).

Regarding claim 12, Blumenau teaches the method of claim 1 wherein the first device is an HBA (paragraph 60).

Regarding claim 13, Blumenau teaches an access method in a storage network comprising: receiving a service request in a first storage network device, the service request originating from a second storage network device, the first storage network device being configured to perform a plurality of services;

obtaining identifying information from the service request which is representative of an identity of the second storage network device (paragraph 48, lines 1-18, paragraph 49, lines 1-2);

based on the identifying information determining which of the services are associated with the second storage network device (paragraphs 58, 62, 63);

performing the service request if the service request is for a task which is associated with the second storage network device (paragraphs 58, 62, 63); and

sending a negative response to the second network storage device indicating that the task will not be performed by the first storage network device if the service request is not for a task which is associated with the second storage network device (paragraphs 58, 62, 63, 93, the sending of a target packet, to the sending device, which indicates a negative response).

Regarding claim 15, Blumenau teaches the method of claim 14 wherein the identifying information is a source address contained in the service request (paragraph 65).

Regarding claim 23, Blumenau teaches the storage network device of claim 22 wherein the connection request is one of a fabric login and a port login (paragraph 46).

Claims 14, 16-22, 24, and 26-31 do not teach or define any new limitations above claims 1-3, 5-12, 15, and 23 and therefore are rejected for similar reasons.

Response to Arguments

3. Applicant's arguments filed April 3, 2009 have been fully considered but they are not persuasive.

Regarding the argument to claim 1, the applicant argues that the reference, Blumenau, does not disclose access to disks based on version information. The examiner respectfully disagrees, as seen in, paragraph 169, there is the use of the comparison of revision levels for disk access.

Regarding the argument to claim 13, the applicant argues that the reference, Blumenau, does not disclose allowing of a particular service if the service is for a task that is associated with the second storage network device. The examiner respectfully disagrees, as seen in, paragraphs 62 and 63, there is a task performed if associated with the device that is cleared for access. The applicant also argues that the reference does not disclose the sending of a negative response. The examiner respectfully disagrees, as seen in, paragraph 93, there is the sending of a target packet, to the sending device, which indicates a negative response.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,778,068 to Johnson et al., because it discloses a recognition methodology which determines whether a processing device and storage device are authorized to operate with each other.

U.S. Pat. Pub. No. 2002/0046265 to Suzuki, because it discloses a comparison device to read a version number of the hardware and compare it to hardware information in a storage device.

U.S. Pat. No. 6,487,646 to Adams et al., because it discloses restricting access to a data storage device.

U.S. Pat. Pub. No. 2005/0034115 to Carter et al., because it discloses determining whether a record from a table corresponds to a device based on its model/revision number.

U.S. Pat. No. 6,604,153 to Imamura et al., because it discloses access protection from unauthorized use of memory medium with unique identifier.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AVI GOLD whose telephone number is (571)272-4002. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. G./
Examiner, Art Unit 2457

/ARIO ETIENNE/
Supervisory Patent Examiner, Art Unit 2457